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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGHIEM, MICHAEL P

ART UNIT

PAPER NUMBER

2861

DATE MAILED: 10/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/919,649

Applicant(s)

STURGEON ET AL.

Examiner

Michael P Nghiem

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,8,9,11-13 and 26-30 is/are allowed.
- 6) ☒ Claim(s) 1,3-7,10 and 14-23 is/are rejected.
- 7) ☒ Claim(s) 24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 19 August 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

The Amendment filed on August 19, 2002 has been acknowledged.

***Claim Objections***

1. Claims 11 and 15 are objected to because of the following informalities:

- "first mounting portion" should be – mounting portion --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

"Said separable key element" lacks antecedent basis.

**Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-7, 10, and 14-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Thoman et al. (US 5,519,422).

Thoman et al. discloses all the claimed features of the invention including:

- an inkjet printer (Fig. 6) and method for establishing a detachable printer component compatibility with a printer component mount in a printer mechanism (Fig. 6), comprising:

- a chassis (84);
- a motor (Inherent feature of an inkjet printer, motor of 85 that drives 82);
- a carriage (82) operably secured to the chassis and driven by the motor for reciprocal movement relative to the chassis (Fig. 5);
- a printhead (printhead of 112) operably secured to the carriage (Fig. 6), in fluid communication with an ink reservoir (Fig. 2's), and in electrical communication with a controller (Inherent feature of an inkjet printhead and printer);

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- a printer component mounting portion (compartment of 82 receiving 112) operably secured to the printer;
- a discrete key element (discrete slots of 82 receiving 132, 134) secured to the component mounting portion, adjacent to said printer component (112);
- at least one tab (132) extending from one of the printer component (Fig. 6), said at least one tab positioned and oriented in a defined and unique tab pattern thereby indicating a required characteristic of the printer component (Fig. 6);
- the other of the printer component and said separate key element having at least one mating slot (slots of 82 receiving 132, 134) positioned and aligned to receive said at least one tab (Fig. 6), thereby allowing the printer component to be operably secured to the mounting portion and preventing similarly shaped printer components that have a different tab pattern from being operably secured to the printer component mounting portion (Abstract, lines 1-5);
- said printer component is an ink reservoir (112);
- said printer component is an ink/printhead cartridge (112);
- said printer component is a printhead (112);
- said key element includes a unique slot (slot of 82 receiving 144) for operably engaging a protrusion (144) extending from said printer component mounting portion, thereby allowing said key to be secured to said printer component mounting portion, and preventing key elements that are missing said unique slot from being secured to said printer component mounting portion (without slot, 118 cannot fit in 82);
- a second printer component (114);

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- a second printer component mounting portion (compartment of 82 receiving 114) operably secured to the printer;
- a second separate key element (slots receiving 136, 138) secured to the second component mounting portion, adjacent to said second printer component (Fig. 6);
- a second at least one tab (136, 138) extending from one of the second printer component (Fig. 6), said second at least one tab positioned and oriented in a defined and unique second tab pattern, different from the tab pattern of said at least one tab (Fig. 6), thereby indicating a required characteristic of the second printer component; and
- the other of the second printer component and said second separate key element having at least one second mating slot positioned and aligned to receive said second at least one tab (Fig. 6), thereby allowing the second printer component to be operably secured to the mounting portion and preventing similarly shaped printer components that have a different tab pattern from said second tab pattern from being operably secured to the second printer component mounting portion (Fig. 6);
- said first mounting portion is mounted to said carriage defining an on-axis ink reservoir (Figs. 5, 6);
- first inserting a toe end of the printer component into a forward mount (Fig. 8a);
- lowering the opposite rearward end of the printer component into a rearward mount (Fig. 8b) such that the key passes through the key element when the rearward end of the printer component is lowered toward the component mount (Fig. 6).

***Allowable Subject Matter***

4. Claims 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 2, 8, 9, 11-13, and 26-30 are allowed.

***Reasons For Allowance***

6. The combination or method as claimed wherein said separate key element is detachably secured to said mounting portion (claims 2, 11, 12, 25) or said display surface to indicate a required characteristic of the printer component (claims 8, 24) is not disclosed, suggested, or made obvious by the prior art of record.

***Response to Arguments***

7. Applicant's arguments filed on August 19, 2002 have been fully considered but they are not persuasive.

With respect to the 35 USC 102 rejection, Applicants argue that Thoman does not disclose a discrete key element attachably secured to the component mounting portion.

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Examiner's position is that Thoman discloses a discrete key element (discrete slots of 82 receiving 132, 134) secured to the component mounting portion (112). Fig. 6 clearly shows that the slots are discrete with respect to each other.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Contact Information***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Nghiem whose telephone number is (703) 306-3445. The examiner can normally be reached on M-H from 6:30AM – 5:00 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached at (703) 308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



**MICHAEL NGHIEM**  
**PRIMARY EXAMINER**

Michael Nghiem

October 27, 2002